

Message Text

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ORIGIN DOE-15

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TO AMEMBASSY VIENNA IMMEDIATE

C O N F I D E N T I A L STATE 162319

USIAEA

E.O. 11652:GDS

TAGS:AORG, OCON, IAEA, TECH, PARM

SUBJECT: IAEA: PROPOSED CONSULTANTS MEETING ON SAFEGUARDS
OBJECTIVES IN NUCLEAR WEAPONS STATES

REF: VIENNA 5521

1. US APPRECIATES DG REQUEST FOR US VIEWS ON SUBJECT PRO-
POSED MEETING AND PARTICULARLY HIS DESIRE TO AVOID ANY STEPS
WHICH MIGHT ADVERSELY AFFECT SENATE CONSIDERATION OF US-IAEA
VOLUNTARY OFFER SAFEGUARDS TREATY, WHICH IS CURRENTLY
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PENDING SENATE ADVICE AND CONSENT TO RATIFY. SENATE
FOREIGN RELATIONS COMMITTEE HEARINGS HAVE NOT YET BEEN
SCHEDULED ON THE AGREEMENT, AND WE ARE UNABLE AT THIS STAGE
TO ANTICIPATE WHEN SENATE ACTION WILL BE COMPLETED. IN THIS
SITUATION, PLANNING FOR SUCH A MEETING AS DESCRIBED REFTEL
COULD HAVE COMPLICATING EFFECT WHICH WE WISH TO AVOID.

2. OUR BASIC PROBLEM, HOWEVER, GOES BEYOND TIMING OF PROPOSED MEETING AND RELATES TO THE CONCEPT OF MEETING ITSELF, THE APPARENT SCOPE AND THE TENTATIVE LIST OF COUNTRIES WITH WHOM THE DG PLANS TO CONSULT. WE RECOGNIZE THAT AT THE TIME THE TIMBS CRITERIA WERE DEVELOPED FOR THE APPLICATION OF SAFEGUARDS UNDER THE US AND UK VOLUNTARY OFFERS, THERE WAS A CLEAR EXPECTATION THAT A REPRESENTATIVE GROUP OF NON-NUCLEAR WEAPONS STATES MIGHT BE CONSULTED FOR THEIR VIEWS ON THE TERMS OF THE RELEVANT VOLUNTARY AGREEMENTS AND ON THE PRECISE FACILITIES TO BE SELECTED FOR SAFEGUARDING, WHILE RECOGNIZING THE DIRECTOR GENERAL'S PREROGATIVE TO MAKE THE FINAL SELECTION. HOWEVER, IN OUR VIEW THE PANEL BEING PROPOSED BY THE DG APPEARS TO GO FAR BEYOND THIS NARROW PROCESS OF HELPING HIM IN HIS SELECTION SINCE SUCH FACTORS AS THE "BASIC OBJECTIVES" OF THE OFFERS AND THE "SAFE-GUARDS CRITERIA" TO BE APPLIED APPEAR TO BE OPEN FOR REEXAMINATION. THE TIMBS CRITERIA WERE DEVELOPED, AFTER EXTENSIVE NEGOTIATIONS, AS THE BASIS FOR SELECTION AND WE SEE LITTLE POINT IN REOPENING THEM AT THIS STAGE. ALSO, GIVEN THE NPT CONTEXT OF THE US AND UK VOLUNTARY OFFERS WE HAVE SOME DIFFICULTY WITH OPENING UP THE CONSULTATIONS TO NON-PARTIES LIKE ARGENTINA AND WOULD WISH TO HAVE A BETTER APPRECIATION AS TO HOW THE UK WOULD VIEW THE PARTICIPATION OF NON-NPT PARTIES, AND WHAT THE DG'S RATIONALE FOR INCLUDING NON-PARTIES MIGHT BE.

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3. IT ALSO SHOULD BE NOTED THAT THE PROPOSED SAFEGUARDS AGREEMENTS WITH US, UK AND FRANCE, AS APPROVED BY BOARD OF GOVERNORS, CLEARLY SPECIFY THE OBJECTIVES OF THE SAFEGUARDS TO BE APPLIED. FURTHERMORE, IN RECOGNITION OF NEED TO CONSERVE IAEA SAFEGUARDS RESOURCES AND CAPABILITIES, ALL THREE AGREEMENTS ENABLE THE AGENCY TO SELECT THE SPECIFIC FACILITIES TO WHICH IT WILL APPLY SAFEGUARDS. COMPREHENSIVE APPLICATION OF SAFEGUARDS TO ALL OF THE FACILITIES POTENTIALLY COVERED BY THESE AGREEMENTS HAS NEVER BEEN CONTEMPLATED.

4. THE AGENCY HAS ALREADY ANNOUNCED ITS INTENTION TO FOLLOW FOLLOW THE CRITERIA RECOMMENDED BY PANEL CHAIRED BY TIMBS IN DESIGNATING FACILITIES TO BE SAFEGUARDED. (SEE GOV/1806 PARA 9) THE ACTUAL SAFEGUARDS TO BE APPLIED WILL BE THE SAME AS THOSE APPLIED TO SIMILAR FACILITIES IN NNWS.

5. ACCORDINGLY, TAKING THE FOREGOING FACTORS INTO ACCOUNT, WE WOULD SEE VIRTUE IN HAVING THE DG CONSULT INDIVIDUALLY WITH A REPRESENTATIVE GROUP OF NPT PARTIES (INCLUDING THE US, UK, THE FGR AND JAPAN) CONCERNING THE FACILITIES HE PROPOSES TO SELECT UNDER THE US AND UK OFFERS BUT WE HAVE

SOME RESERVATIONS ABOUT GOING THE PANEL ROUTE. HOWEVER, WE DO NOT REPEAT NOT WISH TO DISCOURAGE, NOR TO APPEAR TO BE DISCOURAGING, SUCH CONSULTATIONS, PROVIDED THEY ARE APPROPRIATELY LIMITED IN SCOPE. MOREOVER, WHILE WE HAVE SERIOUS RESERVATIONS ABOUT GOING THE PANEL ROUTE WE SHALL BE HAPPY TO RECONSIDER OUR POSITION IF MISSION AND DG BELIEVE THERE ARE SOME COMPELLING ARGUMENTS FAVORING THIS APPROACH THAT WE HAVE OVERLOOKED.

6. REQUEST MISSION INFORM DG ALONG FOREGOING LINES AND ASSURE HIM WE ARE WILLING TO LOOK AT HIS PROPOSAL FURTHER IF THERE ARE CONSIDERATIONS WHICH WE HAVE OVERLOOKED. VANCE

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